10

11

12

13

14

15

16

17

18

19

20

21

22

23

24

25

26

27

28

- 1	
1	Annette W. Jarvis, Utah Bar No. 1649
	Steven C. Strong, Utah Bar No. 6340
2	RAY QUINNEY & NEBEKER P.C.
	36 South State Street, Suite 1400
3	P.O. Box 45385
	Salt Lake City, Utah 84145-0385
4	Telephone: (801) 532-1500
	Facsimile: (801) 532-7543
5	Email: ajarvis@rqn.com
ا '	
6	Lenard E. Schwartzer, Nevada Bar No. 0399
	Jeanette E. McPherson, Nevada Bar No. 5423
7	SCHWARTZER & MCPHERSON LAW FIRM
	2850 South Jones Boulevard, Suite 1
8	Las Vegas, Nevada 89146-5308
	Telephone: (702) 228-7590
9	Facsimile: (702) 892-0122
	E-Mail: <u>bkfilings@s-mlaw.com</u>

Attorneys for Debtors and Debtors-in-Possession

E-FILED ON DECEMBER 27, 2006

UNITED STATES BANKRUPTCY COURT DISTRICT OF NEVADA

USA COMMERCIAL MORTGAGE COMPANY, Case No. BK-S-06-10726 LBR Debtor. Case No. BK-S-06-10727 LBR In re: USA CAPITAL REALTY ADVISORS, LLC, Debtor. In re: USA CAPITAL DIVERSIFIED TRUST DEED FUND, LLC, Debtor. USA CAPITAL FIRST TRUST DEED FUND, LLC, Debtor. USA SECURITIES, LLC, Debtor. Affects: ■ All Debtors ☐ USA Commercial Mortgage Company ☐ USA Securities, LLC ☐ USA Capital Realty Advisors, LLC ☐ USA Capital Diversified Trust Deed Fund, LLC ☐ USA Capital First Trust Deed Fund, LLC

Case No. BK-S-06-10728 LBR Case No. BK-S-06-10729 LBR

Case No. BK-S-06-10725 LBR

Chapter 11

Jointly Administered Under Case No. BK-S-06-10725 LBR

CERTIFICATE OF SERVICE OF RESPONSE TO MOTION FOR ORDER SHORTENING TIME FOR HEARING ON **EMERGENCY MOTION OF DESERT** CAPITAL REIT, INC. FOR ORDER **DETERMING STATUS AS A QUALIFIED BIDDER UNDER BID PROCEDURES** (AFFECTS ALL DEBTORS)

Date: OST REQUESTED BY MOVANT Time: OST REQUESTED BY MOVANT

1. On Decmeber 06, 2006 I served the following document(s):

a. RESPONSE TO MOTION FOR ORDER SHORTENING TIME FOR HEARING ON

EMERGENCY MOTION OF DESERT CAPITAL REIT, INC. FOR ORDER DETERMING STATUS AS

A QUALIFIED BIDDER UNDER BID PROCEDURES (AFFECTS ALL DEBTORS)

1						
2	2. I served the above-named document(s) by the following means to the persons as listed below:					
3	■ a. <u>By ECF System:</u>					
4	MICHELLE L. ABRAMS <u>mabrams@mabramslaw.com</u>					
5	FRANKLIN C. ADAMS <u>franklin.adams@bbklaw.com</u> , <u>arthur.johnston@bbklaw.com</u>					
6 7	NANCY L ALLF <u>nallf@parsonsbehle.com</u> , <u>klawrence@parsonsbehle.com</u> ; <u>tthomas@parsonsbehle.com</u> ; <u>ecf@parsonsbehle.com</u>					
8	FRANK A. ANDERSON <u>anderson.frank@pbgc.gov</u> , <u>efile@pbgc.gov</u>					
9 10	OGONNA M. ATAMOH <u>oatamoh@nevadafirm.com</u> , <u>bkecf@nevadafirm.com</u> ; <u>paltstatt@nevadafirm.com</u> ; <u>sliberio@nevadafirm.com</u>					
11	KERIANN M ATENCIO <u>ATENCIOK@GTLAW.COM</u>					
12	BMC GROUP, INC. <u>evrato@bmcgroup.com</u> , <u>ecf@bmcgroup.com</u> ; <u>jmiller@bmcgroup.com</u> ; <u>jbartlett@bmcgroup.com</u>					
13 14	KELLY J. BRINKMAN <u>kbrinkman@gooldpatterson.co</u> m THOMAS R BROOKSBANK <u>tom@tombrooksbank.com</u> , <u>renee@tombrooksbank.com</u>					
15 16	ANDREW M. BRUMBY <u>abrumby@shutts-law.com</u> , <u>rhicks@shutts-law.com</u> ; <u>lmackson@shutts-law.com</u>					
17	MATTHEW Q. CALLISTER <u>mqc@callister-reynolds.com</u> , <u>maggie@callister-reynolds.com</u>					
18 19	CANDACE C CARLYON <u>ltreadway@sheacarlyon.com</u> , <u>ccarlyon@sheacarlyon.com</u> ; <u>bankruptcyfilings@sheacarlyon.com</u> ; <u>rmsmith@sheacarlyon.com</u>					
20	ROB CHARLES <u>rcharles@lrlaw.com</u> , <u>cjordan@lrlaw.com</u>					
21	MICHAEL W. CHEN <u>yvette@ccfirm.com</u>					
22 23	KEVIN B. CHRISTENSEN <u>kbchrislaw@aol.com</u>					
24	JANET L. CHUBB <u>tbw@jonesvargas.com</u>					
25	JEFFREY A. COGAN! <u>jeffrey@jeffreycogan.com</u> , <u>sarah@jeffreycogan.com</u> < span class="personName">WILLIAM D COPE <u>cope guerra@yahoo.com</u>					
26 27	CICI CUNNINGHAM <u>bankruptcy@rocgd.com</u>					
28	LAUREL E. DAVIS <u>bklsclv@lionelsawyer.com</u> , <u>ldavis@lionelsawyer.com</u> ; <u>gbagley@lionelsawyer.com</u> <u>ldavisesq@aol.com</u>					

1						
2	DEBT ACQUISITION COMPANY OF AMERICA V, LLC (tf) <u>tfette@daca4.com</u>					
3	THOMAS H. FELL <u>BANKRUPTCYNOTICES@GORDONSILVER.COM</u>					
4	SCOTT D. FLEMING <u>sfleming@halelane.com</u> , <u>dbergsing@halelane.com</u> , <u>ecfvegas@halelane.com</u>					
5						
6	GREGORY E GARMAN <u>bankruptcynotices@gordonsilver.com</u>					
7	WADE B. GOCHNOUR wgochnour@hwmlvlaw.com, donnat@hwmlvlaw.com					
8	CARLOS A. GONZALEZ <u>carlos.gonzalez2@usdoj.gov</u> , <u>Darlene.Ruckard@usdoj.gov</u> ;					
9	Eunice.Jones@usdoj.gov; Sue.Knight@usdoj.gov					
10	GERALD M GORDON <u>bankruptcynotices@gordonsilver.com</u>					
11	R. VAUGHN GOURLEY vgourley@lvcm.com					
12	TALITHA B. GRAY <u>bankruptcynotices@gordonsilver.com</u>					
13	JAMES D. GREENE <u>bknotice@schrecklaw.com</u>					
14	MARJORIE A. GUYMON <u>bankruptcy@goldguylaw.com</u> , <u>ddias@goldguylaw.com</u>					
15	JEFFREY R. HALL jhall@sheacarlyon.com, bankruptcyfilings@sheacarlyon.com; aboehmer@sheacarlyon.com; ltreadway@sheacarlyon.com; rsmith@sheacarlyon.com					
16						
17	XANNA R. HARDMAN <u>xanna.hardman@gmail.com</u>					
18	STEPHEN R HARRIS <u>noticesbh&p@renolaw.biz</u>					
19	JEFFREY L HARTMAN <u>notices@bankruptcyreno.com</u>					
20	BRIGID M. HIGGINS bankruptcynotices@gordonsilver.com					
21	DAVID W. HUSTON dwh@hustonlaw.net, swaits@hustonlaw.net					
22						
23	CHRISTOPHER D JAIME <u>cjaime@waltherkey.com</u> , <u>kbernhar@waltherkey.com</u>					
24	EVAN L. JAMES <u>ejameslv@earthlink.net</u> , <u>kbchrislaw@aol.com</u>					
25	TY E. KEHOE <u>TyKehoeLaw@aol.com</u> ROPERT R. KINAS <u>rkinas@aylaw.com</u> matrand@aylaw.com; ilustia@aylaw.com;					
26 27	ROBERT R. KINAS <u>rkinas@swlaw.com</u> , <u>mstrand@swlaw.com</u> ; <u>jlustig@swlaw.com</u> ; <u>chaines@swlaw.com</u> ; <u>imccord@swlaw.com</u>					
28	ZACHARIAH LARSON <u>ecf@lslawnv.com</u>					

1	JOHN J. LAXAGUE <u>jlaxague@caneclark.com</u>					
2	GEORGE C LAZAR <u>glazar@foxjohns.com</u> , <u>gclazar@sbcglobal.net</u>					
3 4	NILE LEATHAM <u>nleatham@klnevada.com</u> , <u>ckishi@klnevada.com</u> ; <u>bankruptcy@klnevada.com</u>					
5	ROBERT C. LEPOME <u>rlepome@cox.net</u> , <u>smstanton@cox.net</u>					
6	ANNE M. LORADITCH <u>ecffilings@beckleylaw.com</u> , <u>aloraditch@beckleylaw.com</u> <u>pkois@beckleylaw.com</u>					
7 8 9	PATRICIA A. MARR jjllaw@leelaw.lvcoxmail.com, lvlaw03@yahoo.com; mark@leelaw.lvcoxmail.com					
10	JAMES C. MCCARROLL , <u>dturetsky@reedsmith.com</u> ; <u>aleonard@reedsmith.com</u>					
11	REGINA M. MCCONNELL rmcconnell@kssattorneys.com					
12	WILLIAM L. MCGIMSEY <u>lawoffices601@lvcoxmail.com</u>					
13	RICHARD MCKNIGHT mcknightlaw@cox.net, gkopang@lawlasvegas.com; cburke@lawlasvegas.com					
14 15	- Curre (c) a man o gan. Com					
16	SHAWN W MILLER <u>bankruptcyfilings@sheacarlyon.com</u> , <u>smiller@sheacarlyon.com</u> ; <u>aboehmer@sheacarlyon.com</u> ; <u>ltreadway@sheacarlyon.com</u> ; <u>rsmith@sheacarlyon.com</u>					
17 18	DAVID MINCIN <u>mcknightlaw@cox.net</u> , <u>gkopang@lawlasvegas.com</u> ; <u>dmincin@lawlasvegas.com</u> , <u>cburke@lawlasvegas.com</u>					
19	JOHN F MURTHA jmurtha@woodburnandwedge.com					
20	ERVEN T. NELSON <u>erv@rlbolick.com</u> , <u>susan@rlbolick.com</u>					
21 22	VICTORIA L NELSON <u>bkecf@nevadafirm.com</u> , <u>vnelson@nevadafirm.com</u> ; <u>paltstatt@nevadafirm.com</u> ; <u>rholley@nevadafirm.com</u> ; <u>sliberio@nevadafirm.com</u>					
23 24	BOB L. OLSON <u>ecffilings@beckleylaw.com</u> , <u>bolson@beckleylaw.com</u> ; <u>dgriffis@beckleylaw.com</u>					
25 26	DONNA M. OSBORN <u>ebaker@marquisaurbach.com</u> , <u>dosborn@marquisaurbach.com</u> ; <u>tszostek@marquisaurbach.com</u> ; <u>kgallegos@MarquisAurbach.com</u> ANDREW M. PARLEN <u>aparlen@stutman.com</u>					
27	DONALD T. POLEDNAK <u>sandplegal@yahoo.com</u> , <u>spbankruptcy@yahoo.com</u>					
28	PAUL C RAY <u>info@johnpeterlee.com</u>					

1					
2	SUSAN WILLIAMS SCANN <u>sscann@deanerlaw.com</u> , <u>palexander@deanerlaw.com</u>				
3 4	JAMES PATRICK SHEA bankruptcyfilings@sheacarlyon.com, ltreadway@sheacarlyon.com; rmsmith@sheacarlyon.com				
5	SHLOMO S. SHERMAN <u>ssherman@sheacarlyon.com</u> , <u>aboehmer@sheacarlyon.com</u> ; bankruptcyfilings@sheacarlyon.com; ltreadway@sheacarlyon.com; rsmith@sheacarlyon.com				
6 7	AMBR ISH S. SIDHU ecf@lslawnv.com				
8	JEFFREY G. SLOANE gjklepel@yahoo.com, rmcconnell@kssattorneys.com				
9	ALAN R SMITH mail@asmithlaw.com, turk@asmithlaw.com; marsh@asmithlaw.com; darby@asmithlaw.com				
10					
11	DAVID A. STEPHENS <u>dstephens@lvcm.com</u>				
12	PETER SUSI <u>cheryl@msmlaw.com</u> , <u>msm@msmlaw.com</u>				
13	JEFFREY R. SYLVESTER jeff@sylvesterpolednak.com, David@sylvesterpolednak.com				
14 15	CARYN S. TIJSSELING <u>ctijsseling@beckleylaw.com</u> , <u>jblair@beckleylaw.com</u>				
16	AMY N TIRRE <u>atirre@kkbrf.com</u> , <u>lleverett@kkbrf.com</u>				
17	U.S. TRUSTEE - LV - 11 <u>USTPRegion17.lv.ecf@usdoj.gov</u>				
18	GREGORY J. WALCH <u>GWalch@Nevadafirm.com</u>				
19	RUSSELL S. WALKER <u>rwalker@wklawpc.com</u> , <u>eloveridge@wklawpc.com</u> ; lboynton@wklawpc.com; ckirk@wklawpc.com				
20	WHITNEY B. WARNICK wbw@albrightstoddard.com, bstessel@albrightstoddard.com				
21	WILLIAM J. WRAY wjw@oreillylawgroup.com, rh@oreillylawgroup.com,				
22 23	bc@oreillylawgroup.com, lc@oreillylawgroup.com, ddh@oreillylawgroup.com mr@oreillylawgroup.com				
24	JOAN C WRIGHT jwright@allisonmackenzie.com, jbrooks@allisonmackenzie.com				
25	MATTHEW C. ZIRZOW bankruptcynotices@gordonsilver.com				
26	ANTHONY A. ZMAILA azmaila@nevadafirm.com, bkecf@nevadafirm.com;				
27	mbarnes@nevadafirm.com, paltstatt@nevadafirm.com				
28					

2850 South Jones Boulevard, Suite 1 Las Vegas, Nevada 89146-5308 Tel: (702) 228-7590 · Fax: (702) 892-0122	
Las Vegas, Nevada 89(702) 228-7590 · Fax:	

	b.	By United States mail, postage fully prepaid			
	c.	By Personal Service I personally delivered the document(s) to the persons at these addresses:			
For a party represented by an attorney, delivery was made by handing the document(s) to the attorney or by leaving the document(s) at the attorney's office with a clerk or other person in charge, or if no one is in charge by leaving the document(s) in a conspicuous place in the office.					
	_	For a party, delivery was made by handing the document(s) to the party or by cument(s) at the person's dwelling house or usual place of abode with someone of nd discretion residing there.			
	d.	By direct email (as opposed to through the ECF System)			
Based upon the written agreement to accept service by email or a court order, I caused the document(s) to be sent to the persons at the email addresses listed below. I did not receive, within a reasonable time after the transmission, any electronic message or other indication that the transmission was unsuccessful.					
	e.	By fax transmission			
Based upon the written agreement of the parties to accept service by fax transmission or a court order, I faxed the document(s) to the persons at the fax numbers listed below. No error was reported by the fax machine that I used. A copy of the record of the fax transmission is attached.					
	f.	By messenger			
I served the document(s) by placing them in an envelope or package addressed to the persons at the addresses listed below and providing them to a messenger for service.					
I declare under penalty of perjury that the foregoing is true and correct.					
Signed	d on:	December 27, 2006			
	i Vande e of Dec	•			